

**MINUTES FOR THE COURT OF APPEAL
STATE OF CALIFORNIA
SECOND APPELLATE DISTRICT**

February 1, 2006

DIVISION ONE

B178743 Coalinga Regional Medical Center (Not for Publication)
 v.
 Department of Health Services

The judgment is affirmed. The Department of Health Services is entitled to costs on appeal.

Mallano, J.

We concur: Vogel (Miriam A.), Acting P.J.
 Rothschild, J.

B178635 Norton (Not for Publication)
 v.
 Norton

The order is affirmed. The parties are to bear their own costs.

Rothschild, J.

We concur: Spencer, P.J.
 Vogel (Miriam A.), J.

DIVISION ONE (Continued)

B184993 Shuval et al. (Not for Publication)
 v.
 Partuk

The trial court's order is affirmed. Respondents shall recover their costs on appeal.

Rothschild, J.

We concur: Spencer, P.J.
 Mallano, J.

DIVISION TWO

B185766 Jodi H., et al. (Not for Publication)
 v.
 Superior Court, Los Angeles County
 (Los Angeles County D.C.S., r.p.i.)

The petition for writ of mandate is denied. The order to show cause is discharged.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B181596 People (Not for Publication)
 v.
 Mora

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Chavez, J.

February 1, 2006 (Continued)

DIVISION TWO (Continued)

B181437 People (Not for Publication)
v.
Flores

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B181207 Los Angeles County, D.C.S. (Not for Publication)
v.
Zolton C.

The judgment is affirmed.

Ashmann-Gerst, J.

We concur: Boren, P.J.
 Doi Todd, J.

B174944 Davis
v.
Newmar Corporation, et al.

Filed order certifying opinion for publication.

DIVISION THREE

B179854 Bobby J. Overton
v.
Walt Disney Company

Filed order modifying opinion. (Change in judgment)

February 1, 2006 (Continued)

DIVISION THREE (Continued)

B183587 Bagwell Construction Services, Inc.
B185952 v.
Joseph B. Wilmeth

Filed order consolidating above captioned appeals.

B180011 People (Not for Publication)
v.
Brandon L.

The juvenile court's true finding on count 2 is reversed. The court's finding on count 1 is modified to reflect that Brandon committed simple battery, in violation of section 242. The matter is remanded to the juvenile court for further proceedings consistent with the opinions expressed herein.

Aldrich, J.

We concur: Klein, P.J.
Kitching, J.

B184967 Los Angeles County, D.C.S. (Not for Publication)
v.
Jeana Marie M.

The appeal is dismissed.

Aldrich, J.

We concur: Croskey, Acting P.J.
 Kitching, J.

DIVISION EIGHT

Court convened at 9:10 a.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy Clerk.

DIVISION EIGHT (Continued)

Each of the following:

B179724 People v. Alcada
B181966 People v. Jenkins
B184601 Shoyinka v. City of Santa Monica
B184126 People v. De La Pena
B184836 DCFS v. Margaret M. & Fernando M.

Argument waived, cause submitted.

B180283 People
 v.
 Raleigh

Merits:

Argued by Joanna Rehm for appellant and by David E. Madeo, Deputy Attorney General for respondent. Cause submitted.

B175787 Antico
 v.
 Leydier et al.,

Merits:

Argued by Sherwin Edelberg for appellant and by James Felton for respondent. Cause submitted.

B179798 Stevenson Real Estate Service, Inc.,
 v.
 CB Richard Ellis Real Estate SVC., Inc.,

Merits:

Argued by Jerry K. Staub for appellant and by John T. Thornton for respondent. Cause submitted.

DIVISION EIGHT (Continued)

B181755 Paulson
 v.
 Southern California Edison Company

Merits:
Argued by Jack R. Ormes for appellant and by Robert Suttle for
respondent. Cause submitted.

B172503 Mercer
 v.
 Mercer

Merits:
Argued by James Keane for appellant/respondent and by J. Nicholas Cuneo
for respondent/appellant . Cause submitted.

B179442 Peter Letterese & Associates, Inc.
 v.
 Bridge Publications, Inc.
 Church of Scientology International

Merits:
Argued by David L. Hoffman for appellants and by Gary S. Soter for
respondent and by Kendrick L. Moxon. Cause submitted.

Court recessed at 11:52 a.m.

Court reconvened at 1:00 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J., Flier, J. and Emma Jean Amos, Deputy
Clerk.

DIVISION EIGHT (Continued)

B181523 Hile
 v.
 Clippinger Chevrolet et al.,

Merits:
Argued by Jeffrey B. McMillen for appellant and by Justin Gold for
respondent. Cause submitted.

B178672 Cardenas
 v.
 Metropolitan Water District of Los Angeles County

Merits:
Argued by Bruce D. Abel for appellant and by Heather C. Beatty for
respondent. Cause submitted.

B176816 Futurenet Online, Inc.,
 v.
 Future-Link, Inc.,

Merits:
Argued by William H. Ford, III for appellant and by James M. Harris for
respondent. Cause argued, submission deferred pending the filing of
additional briefs. Upon the filing of the letter briefs due February 6, 2006,
the matter will be deemed submitted.

Court recessed at 2:08 p.m.

February 1, 2006 (Continued)

DIVISION EIGHT (Continued)

Court reconvened at 2:20 p.m.

Present: Cooper, P.J., Rubin, J., Boland, J. and Emma Jean Amos, Deputy Clerk.

B182894 Leyton
 v.
 Russo et al.,
 Yoshitake et al.,

Merits:

Argued by Andrew M. Rosenfeld for appellant and by Cyril E. Armbrister, Jr. and Jeremy S. Johnson for respondents. Cause submitted.

Justice Flier assumes the bench.

B185345 Cook, III
 v.
 Asher

Merits:

Argued by Thomas Paine Dunlap for appellant and by Robert K. Holmes for respondent. Cause submitted.

B179762 People
 v.
 Legarda

Oral argument continued to February 28, 2006, at 9:00 a.m.

B180361 Westgate
 v.
 Greystone Health Sciences Corporation

Matter ordered off calendar.

Court adjourned.

DIVISION EIGHT (Continued)

B187233 Reese, (Not for Publication)
v.
Superior Court, Los Angeles County
(The People, r.p.i.)

The petition is granted and our previous stay is dissolved. The trial court is ordered to (1) vacate its orders of September 23 and 26, 2005, granting the People's motion to continue the trial and denying Reese's motion to dismiss for violating her right to a speedy trial, and instead (2) issue a new order denying the People's motion and dismissing the charges against Reese.

Rubin, Acting P.J.

We concur: Boland, J.
 Flier, J.

B181878 Burkle,
v.
Burkle

Filed order modifying opinion. (No change in the judgment)